

REMARKS

The present amendment is in response to the Office Action dated November 14, 2006, where the Examiner has withdrawn claims 10, 13, 18-20, 25-38, 40, 42, 43, 48, 51, 53, and 54 from consideration as directed to a non-elected species, and has rejected the remaining claims on obviousness-type double patenting grounds. In the foregoing amendment, a minor amendment has been made to cancel some of the wording in dependent claims 14 and 46, and new claims 55 and 56 have been added to include the canceled wording, with claim 55 depending from claim 46 and claim 56 depending from claim 14. The remaining claims are not amended.

It is noted that the Examiner has considered the references cited in the first Information Disclosure Statement filed on February 2, 2004. A second Information Disclosure Statement was filed by the Applicant on November 29, 2006. It is respectfully requested that the Examiner consider and make of record the additional references cited in the second Information Disclosure Statement prior to issuance of the next communication in connection with this application. A third Information Disclosure Statement accompanies this amendment and brings to the Examiner's attention two additional references which were recently cited in copending Application No. 10/633,805. It is respectfully requested that the Examiner also considers and makes these references of record in the next Office Action.

In the current Office Action, the Examiner has provisionally rejected claims 1-9, 11-12, 14-17, 21-24, 39, 41, 44-47, 49, 50, and 52 on obviousness-type double patenting grounds as unpatentable over claims 1 to 50 of copending Application No. 10/633,805. Accompanying this amendment is a terminal disclaimer and terminal disclaimer fee, dealing with the provisional obviousness-type double patenting rejection.

It is noted that there are no other prior art rejections of claims 1-9, 11-12, 14-17, 21-24, 39, 41, 44-47, 49, 50, and 52, and it is submitted that these claims should now be in order for allowance, in addition to new dependent claims 55 and 56.

It is respectfully requested that the Examiner also considers and allows previously withdrawn claims 10, 13, 18-20, 25-38, 40, 42, 43, 48, 51, 53, and 54 in the next communication, since each of these claims now depends from allowable generic claim 1 or 45.

CONCLUSION

It is believed that all of the claims remaining in this application are in order for allowance, since the only claim rejection has been overcome by the terminal disclaimer and fee which accompanies this amendment. All of the claims which were withdrawn from consideration as directed to a non-elected species now depend from a generic claim which is believed to be allowable in view of the terminal disclaimer, and consideration and allowance of the withdrawn claims in addition to the claims considered in this Office Action is respectfully requested.

It is believed that all claims remaining in this application, specifically claims 1 to 56, are now in condition in all respects for allowance, and early notice to this effect is earnestly solicited. If the Examiner has any questions or comments regarding the above Amendments and Remarks or believes that a telephone conversation may be useful in advancing prosecution, the Examiner is invited to contact the undersigned at the number listed below.

Respectfully submitted,
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